



Attorney Docket No. 9151-6

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BOX SEC  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Wheeler et al.

Serial No.: 09/823,069

Filed: March 30, 2001

For: METHODS AND COMPOSITIONS UTILIZING AN  
ALTERNATIVE SPLICE VARIANT OF THE SIGMA-1 RECEPTOR

Date: July 18, 2001

BOX MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231

SUBMITTAL OF MISSING PARTS  
UNDER 37 C.F.R. § 1.53(b)

Sir:

Responsive to the Notice to File Missing Parts of May 25, 2001, enclosed are the following:

1. Declaration and Power of Attorney for the above-identified application that has been executed by the named inventors
2. Copy of Notice to File Missing Parts of Nonprovisional Application
3. Sequence Listing (paper copy and copy on diskette) and Amendment and Statement In Support of Sequence Listing
4. Check in the amount of \$65.00 to cover the surcharge under 37 C.F.R. § 1.27

Any additional fee or credit may be charged to our Deposit Account No. 50-0220.

Respectfully submitted,

Sorojini J. Biswas

Registration No. 39,111

Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone (919) 854-1400  
Facsimile (919) 854-1401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, DC 20231, on July 18, 2001.

Meredith Schuessler

Date of Signature: July 18, 2001

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Attorney Docket No. 9151-6

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Commissioner for Patents  
Washington, DC 20231  
Attn: Drawing Review Branch

SUBMITTAL OF FORMAL DRAWINGS

Sir:

Enclosed herewith is one set (7 sheets) of new formal drawings. It is requested that these new drawings be substituted for the originally filed informal drawings.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sorojini J. Biswas".

Sorojini J. Biswas  
Registration No. 39,111

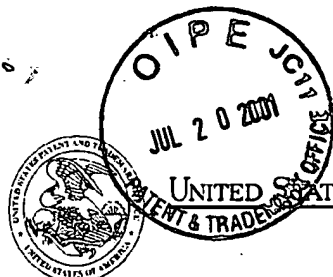
Myers Bigel Sibley & Sajovec  
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A handwritten signature in cursive script, appearing to read "Meredith Schuessler".  
Meredith Schuessler

Date of Signature: July 18, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,069	03/30/2001	Kenneth T. Wheeler	9151-6

CONFIRMATION NO. 8239

 20792  
 MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
 RALEIGH, NC 27627

## FORMALITIES LETTER



\*OC000000006118258\*

Date Mailed: 05/25/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 65.**
- o This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

07/24/2001 CCHAU1 00000109 09823069

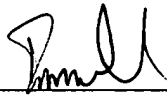
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- For Rules Interpretation, call (703) 308-4216
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*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE